Quick Reference Guide for State Workforce Agencies (SWA)

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For a more comprehensive guide on how to use E-Verify, please refer to the
User Guide located in the **Online Resources** area of your E-Verify homepage.

Getting Started

It is important that State Workforce Agencies follow these E-Verify Rules of Use very carefully.

The E-Verify Rules of Use

- SWAs must provide each referred worker the DHS-supplied notice concerning the agency's participation in E-Verify, and the notice concerning antidiscrimination.

- SWAs must verify the referred worker's employment eligibility through E-Verify while the referred worker is present in the SWA office.

- SWAs must have received a completed Form I-9, Employment Eligibility Verification (referred to hereafter as Form I-9) from the referred worker, before initiating E-Verify verification procedures.

- SWAs may not specify which documentation referred workers use for Form I-9 or E-Verify purposes.

- SWAs may accept only those 'List B' identity documents that contain a photograph.

- SWAs must provide referred workers with an opportunity to challenge Tentative Nonconfirmation responses. SWAs must promptly provide the Tentative Nonconfirmation notice to the referred worker so that the worker may determine whether he or she will contest the Tentative Nonconfirmation.

- SWAs must provide the DHS-supplied *Notice to Employer of Referred Workers* to each employer to whom the AGENCY refers a referred worker

- SWAs may not take adverse action against a referred worker while the case is being resolved.

It is important that you comply with all of the requirements you agreed to when you were given access to E-Verify. If you fail to do so, you may wrongly terminate, suspend, or otherwise unlawfully discriminate against a worker, which could result in civil legal action against you or your agency. Your participation in the program could also be terminated.

Case Administration
Initiating Queries

Submitting an initial verification

1) Select **Initial Verification** from the **Case Administration** menu.

2) Enter the required information, and include other information if available.

3) After you enter the worker's Form I-9 information, a confirmation screen may appear which gives you a chance to review for errors. If any information has been entered incorrectly, make necessary corrections and select **Continue Verification**. If all information has been entered correctly, click the **Continue Verification** button.

Viewing initial verification results

1) View the response in the Initial Verification Results section.

2) Based on the response type, take appropriate action:

   a. Proceed with job referral if you receive 'Employment Authorized'

   b. Proceed with job referral if you receive 'DHS Verification in Process'

   c. Inform worker of Tentative Nonconfirmation (SSA or DHS) by printing the *Notice to Employee of Tentative Nonconfirmation* and reviewing it with worker. Proceed with job referral if the worker contests the Tentative Nonconfirmation.

Notifying a referred worker of a Tentative Nonconfirmation response

1) Select the link to the *Notice to Employee of Tentative Nonconfirmation* on the **Case Details** page. This notice is available in English and Spanish.

2) Print the notice, and then return to the Case Details page.

   a. Give the worker a copy of the *Notice to Employee of Tentative Nonconfirmation* and review it with him or her. Explain that he or she must contest the Tentative Nonconfirmation or risk the declining and/or withdrawal of the certification or referral. The referred worker must indicate on the notice whether he or she contests.

   b. After both the SWA and the worker sign the *Notice*, file it with the worker's Form I-9 and give a copy to him or her. Follow the instructions for initiating a referral below.

Referring a worker to SSA or DHS for case resolution

1) Select **Initiate SSA or DHS Referral** on the **Case Details** page.

2) Select **Notified** if you advised the worker of the Tentative Nonconfirmation and he or she has signed the *Notice to Employee of Tentative Nonconfirmation*.

3) Print and provide a copy of the Referral Letter to the worker.

4) Exit the screen by selecting the 'Close' button.

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> Selecting the **Close** button *temporarily* closes the case. You can go back and view the case anytime, by clicking **View Cases** in the **Case Administration** section.

Viewing Responses

Once the worker has visited SSA or contacted DHS, the status of their case in E-Verify will automatically change. You can see the updated status by clicking on **View Cases**. You will see one of the following responses next to the referred worker's case:

- **Employment Authorized**: employment eligibility is verified. Resolve the case.

  - See "Resolving Cases" below

- **SSA Final Nonconfirmation**: SSA could not verify the information. Resolve the case.

- **SSA Case in Continuance: (rarely seen)** SSA needs more time to work the case. Check daily to see if the case status has been updated.

- **Review Employee Data then Resubmit**: correct any typos and continue the case.

- **DHS Verification in Process** the case has been referred to DHS for verification. Wait 24 hours for a response.

Resolving Cases

All cases must be resolved when final responses are received, regardless of the employment authorization status.

To resolve a case and record the Case Verification Number:

1) Select **Resolve Case** on the **Case Details** page.

2) Select the appropriate option in the **Enter Case Resolution** section.

   There are five options for resolving a case:

   - **Resolved Authorized**: Select this option when employment is authorized.

   - **Resolved Unauthorized/Terminated**: Select this option when employment is not authorized (SSA Final Nonconfirmation, DHS Employment Unauthorized, or DHS No Show), or when a Tentative Nonconfirmation response is uncontested AND employment is terminated.

   - **Self Terminated**: Select this option if an employee quits or is terminated for reasons unrelated to employment eligibility status while the verification query is in process.

   - **Invalid Query**: Select this option if a duplicate query was discovered after the query was sent or if a query was sent with incorrect data.

   - **Employee Not Terminated**: Select this option to notify DHS that you are not terminating an employee who received an SSA Final Nonconfirmation, DHS Employment Unauthorized, or DHS No Show response or who is not contesting a Tentative Nonconfirmation response.

3) Select **Submit Resolve Case**.

4) Print the case details page and attach it to the worker's Form I-9. If your computer is not connected to a printer, you must record the case verification number on the worker's Form I-9 as proof of verification.

Viewing and Searching for Cases

1) Select **View Cases** from the **Case Administration** menu.

2) Enter the desired search criteria, such as **Case Verification Number, Alien Number, I-94 Number**, or **Social Security Number**.

3) Select **Display Case Summary** List to display a list of cases.

4) The search results can be organized by different criteria, such as last name, by clicking on the column heading.

5) To view a specific case, select the link to the **Case Verification Number** in the far left column. This displays the Case Details Page for that case.

Understanding the Photo Verification Feature

The Photo Verification Feature occurs (only) when:

- A **non-citizen** presents a recent version of a Permanent Resident Card (PRC) or Employment Authorized Document (EAD) as proof of employment authorization.

- The **non-citizen** has a valid Social Security number and Alien Number/I-94 number, according to E-Verify.

- The DHS database is able to find the photograph on record for that individual.

When Verifying a Photo:

1) Determine whether the photo on the worker's PRC/EAD is an exact match to the photograph displayed by E-Verify:

   a. If photo is a match, select **YES**. E-Verify will return an employment authorized response.

   b. If photo is not a match, select **NO**. E-Verify will return a Tentative Nonconfirmation response and the SWA should inform the worker of this response. If the worker decides not to contest, the case should be resolved.

   c. If photo **CANNOT BE DETERMINED**, explain why and click **Next**. Submit an electronic copy of the worker's document or choose **Mail a Copy**. Print and provide a copy of the Notice to the worker. Both the SWA and the referred worker should review, sign and date the notice. Mail a copy of the document to DHS and close the case.

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See **How to Mail Documents** at the end of this guide.

User Administration

Password security
1) Due to the sensitive and confidential nature of the information in E-Verify, you must protect your password.
2) Failure to protect your password could result in termination of your agency's participation in E-Verify.

Changing your password
1) Select **Change Password** from the **User Administration** menu.
2) Enter your current password in the Old Password field.
3) Enter your new password in the New Password and Re-type New Password fields.

   * Passwords are case sensitive.
4) Select Submit Password Change.

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> Passwords must comply with security requirements.
> Passwords must have 3 of the following 4 characteristics:
> 1) At least one uppercase letter
> 2) At least one lowercase letter

Changing your password challenge questions
1) Select **Pwd Challenge Q&A** from the **User Administration** menu.
2) Select a question from each drop-down field.
3) Enter the answer in each Answer field.

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> If you decide to change any of the questions in the future, you must reset the other questions and answers. You may reuse any questions and answers

Updating your profile
1) Select **Change Profile** from the **User Administration** menu.
2) Add or edit information as necessary. Your profile must include your first name, last name, telephone number and email address.
3) Select **Submit User Profile Changes**.

Site Administration
(Program Administrators only)

Adding Users
1) Select **Add User** from the **Site Administration** menu.

2) Select the User's role from the **User Role** list. There are two roles to select from:

   - **General Users** – Have the ability to provide verification queries for newly hired employees, view and access outstanding verification queries for your company, view reports, and update their personal user profiles.

   - **Program Administrators** – Have the ability to create and delete General User and Program Administrator user accounts, view and edit company information in E-Verify, request that the company's account be terminated, view reports, perform verification queries, update their profile information, reset user passwords, and unlock user accounts.

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> You can only add new users that are located at your agency.

3) Enter the required information, then select **Next**.

4) Edit the user ID in the User ID field if desired, and enter a temporary password.

5) Select **Submit New User**.

6) Give the new user his or her User ID, temporary password, and the E-Verify website address.

Viewing User Profiles
1) Select **View Users** from the **Site Administration** menu.

2) Enter search criteria and select **Display User Summary List**.

3) View an individual user by selecting the User ID link in the far left column.

Deleting User Accounts
1) Repeat "Viewing User Profiles" steps.

2) Select the **Delete** button in the same row as the User.

3) Select **Delete User** on the Delete User page.

4) Select **Return to User List**.

Changing User Accounts
1) Repeat "Viewing User Profiles" steps.

2) Select the User ID.

3) Modify the User and/or password information.

4) Select **Submit User Modifications**.

Changing User Password
1) Repeat "Viewing User Profiles" steps.

2) Select the User ID.

3) Select Force Change Password.

4) Enter in a new password for the User.

5) Select **Submit User Modifications**.

6) Give the User their new password. They will be forced to change it when they log in again.

Changing Agency Information
1) Select **Maintain Company** from the **Site Administration** menu.

2) Select **View/Edit** for the section that you want to modify.

3) Modify the information.

4) Select the appropriate submission button(s).

Requesting Termination from the E-Verify Program
1) Select **Request Termination** from the **Site Administration** menu.

2) Enter a reason for the request.

3) Select **Request Termination**.

Reports

Generating Reports

1) Select **View Reports** from the Reports menu.

2) Select a report from the list. Select **Next**.

3) Enter report parameters.

4) Select **Run Report**.

5) Print or save the report using the Adobe Reader® toolbar buttons.

How to Mail Documents

When to Mail Documents

Copies of documents should **only** be mailed to DHS in the event of:

- A **contested Tentative Nonconfirmation** due to a photo mismatch

- A case where you, the E-Verify User, were **unable to determine** whether the photo displayed by E-Verify matched the photo on the worker's document.

What to Mail

Include:

- a copy of the signed DHS Referral Letter

- a copy of the worker's Form I-766 or I-551

Do _not_ mail anything relating to a case that is not due to a photo mismatch/cannot determine, such as completed Form I-9s, SSA Referral Letters, SSA Tentative Nonconfirmation Notices, or copies of driver's licenses, passports, or Social Security cards. Do **not** send a worker's original document to DHS.

How to Mail

You may send copies of the referred worker's documentation using DHL courier service, or U.S mail. Please send to:

> U.S. Citizenship and Immigration Services
> Verification Division
> Attn: Status Verification Unit/Photo Tool
> 490 L'Enfant Plaza, SW, Suite 8001
> Washington, D.C. 20024

To use the DHS express courier account:

> Register your user profile:
> https://sso.dhl-usa.com/sso/register.asp?nav=Reg
> Please use: 799649141 as the account number and zip code: 20529
>
> Prepare to ship:
> http://www.dhl-usa.com/shipping/shipstart.asp?nav=Prepareship
>
> For general information about the DHL shipping account:
> http://www.dhl-usa.com/dhs/homeland/index.asp
>
> USCIS will pay for the shipping costs associated with E-Verify through its DHL account. However, participants are free to use the carrier of their choice at their own expense.

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Do **NOT** send original documents to USCIS.